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20 **UNITED STATES DISTRICT COURT**

21 **DISTRICT OF NEVADA**

22 ROBERT ARMIJO,

23 Plaintiff,

24 vs.

25 OZONE NETWORKS, INC. d/b/a OPENSEA, a
26 New York Corporation; YUGA LABS, LLC d/b/a
27 BORED APE YACHT CLUB, a Delaware limited
liability company; LOOKSRARE; and DOES 1 to
50,

28 Defendants.

Case No.: 3:22-cv-00112-MMD-CLB

**STIPULATION AND ORDER TO
EXTEND DEADLINE TO RESPOND
TO MOTIONS TO STAY
DISCOVERY AND JOINDER (ECF
NOS. 78, 80, 82)**

[FIRST REQUEST]

23 Plaintiff Robert Armijo (“Mr. Armijo”) and Defendants Ozone Networks, Inc. d/b/a OpenSea
24 (“OpenSea”), and Yuga Labs, Inc. (“Yuga Labs”) (together with OpenSea, the “Stipulating
25 Defendants”), by and through their respective counsel, stipulate and agree, subject to this Court’s
26 approval, to extend the deadlines for Mr. Armijo to file responses to the pending Motions to Stay
27 Discovery (ECF No. 78, 80) and Joinder (ECF No. 82) by five (5) days, to August 22, 2022, and to
28 set additional briefing deadlines provided below. The Motions to Stay Discovery and Joinder were

1 filed on August 3, 2022; therefore, responses are currently due on August 17, 2022. No hearing has
2 been set for this matter. This is the first request to extend these particular deadlines.

3 WHEREAS, on February 28, 2022, Mr. Armijo filed a Complaint in the above-entitled action
4 (ECF No. 1), image later corrected on March 1, 2022 (ECF No. 6). On June 24, 2022, Mr. Armijo
5 filed a First Amended Complaint (ECF No. 62);

6 WHEREAS, on July 29, 2022, OpenSea and Yuga Labs each filed motions to dismiss the First
7 Amended Complaint (ECF Nos. 71, 72, 74, 75, 77) and related requests for judicial notice (ECF Nos.
8 73, 76);

9 WHEREAS, on August 3, 2022, OpenSea and Yuga Labs each filed Motion to Stay Discovery
10 (ECF Nos. 78, 79, 80, 81, 82) requesting that the court stay discovery and related case deadlines based
11 on their pending dispositive motions;

12 WHEREAS, lead counsel for Mr. Armijo will soon be transitioning to another law firm, and
13 as a result, would like to provide Mr. Armijo with some time to consider options relating to counsel's
14 transition before having to file responses to the pending motions;

15 WHEREAS, in light of the foregoing, Mr. Armijo requested a five (5) day extension of time
16 for Mr. Armijo to respond to the pending Motions to Stay Discovery, or from August 17, 2022, to
17 August 22, 2022. The Stipulating Defendants agreed to the short extension of time;

18 WHEREAS, Mr. Armijo is similarly agreeable to providing Stipulating Defendants additional
19 time to file their reply briefs, such that replies would be due on or before September 2, 2022;

20 WHEREAS, this stipulation is entered into in good faith and is not filed for improper purposes.
21 This is the first request to extend these particular deadlines and the short extensions will not unduly
22 delay proceedings as the Scheduling Order (ECF No. 66) was only recently entered and the parties are
23 working on preparing a joint case management report.

24 NOW THEREFORE, Mr. Armijo and the Stipulating Defendants, by and through their
25 respective counsel, stipulate that good cause exists under Local Rule IA 6-1 to extend Mr. Armijo's
26 deadline to respond to the Motions to Stay Discovery and Joinder by five (5) days, or to August 22,
27 2022, and that Stipulating Defendants shall have until September 2, 2022, to file their reply briefs.

1 DATED this 17th day of August, 2022.
2

3 **ARMSTRONG TEASDALE LLP**

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20 DATED this 17th day of August, 2022.

21 **MUNGER, TOLLES & OLSON, LLP**

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30 *d/b/a OpenSea*

31 **ORDER**

32 Accordingly, the response to the motion to stay is due on or before **August 22, 2022**
33 and the reply is due on or before **September 2, 2022**.

34 **IT IS SO ORDERED.**

35 **DATED:** August 17, 2022

36 
37 **UNITED STATES MAGISTRATE JUDGE**